

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4555 OF 2004

Ajay Maitti and 2 others ... Applicants
versus

The State of Maharashtra ... Respondent

...

Mr. Subhash Jha, for Law Global, for the
Applicants.

Mr. D.R. More, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR, J.

1st November 2004

P.C.:

. Heard Counsel for the parties. Perused
the record. It is not in dispute that accused
Nos. 1, 5 and 6 are already released on bail.
Investigation is complete. The role of the
present Applicants, accused Nos. 2, 3 and 4, is
stated to be that they took the deceased to the
workshop and assaulted the deceased mercilessly.
It is seen that injury caused to the deceased is
not on account of any dangerous weapon used

during such assault. The Court below has rejected the application of the present Applicants, essentially because there is apprehension of the Applicants trying to tamper the prosecution evidence. Taking overall view of the matter, the Applicants can be enlarged on bail on strict conditions as under :

(a) The Applicants are directed to be released on bail in connection with CR.No. 173/2004 registered with L.T. Marg Police Station on executing personal bond in the sum of Rs.50,000/- (Rupees Fifty thousand only) with one or two local sureties in the like amount.

(b) The Applicants shall not enter the jurisdiction of L.T. Marg Police Station during the pendency of the trial.

(c) The Applicants shall inform their place of residence to the investigating officer as well as to the trial Court within one week from the date of their release. Besides, the Applicants shall regularly report to the nearest police

station, where they intend to reside, on every Saturday between 10 a.m. to 1 p.m.

(d) The Applicants shall extend full co-operation for early disposal of the trial. If the trial Court is of the opinion that the Applicants are responsible for delay in trial, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

(e) The Applicants shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

. Application disposed of on the above terms.

. Parties to act on the authenticated copy of the order.

(A.M.KHANWILKAR, J.)